

# EXHIBIT BB

Column One

CIA-Backed Team Used Brutal Means To Crack Terror Cell --- Albanian Agents Sent Egyptians Back to Cairo --- Prisoners Allege They Were Tortured There

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TIRANA, Albania -- Ahmed Osman Saleh stepped off a minibus here in the Albanian capital in July 1998 and caught what would be his last glimpse of daylight for three days. As he paid the driver, Albanian security agents slipped a white cloth bag over Mr. Saleh's head, bound his limbs with plastic shackles and tossed him into the rear of a hatchback vehicle. Supervising the operation from a nearby car were agents from the U.S. Central Intelligence Agency.

Mr. Saleh's Albanian captors sped over rutted roads to an abandoned air base 55 kilometers north of Tirana. There, recalled an Albanian security agent who participated, guards dumped the bearded self-confessed terrorist on the floor of a windowless bathroom.

After two days of interrogation by CIA agents and sporadic beatings by Albanian guards, Mr. Saleh was put aboard a CIA-chartered plane and flown to Cairo, according to the Albanian agent and a confession Egyptian police elicited from Mr. Saleh in September 1998. "I remained blindfolded until I got off the plane," Mr. Saleh said in the confession, a document written in Arabic longhand that he signed at the bottom.

There were more beatings and torture at the hands of Egyptian authorities. And 18 months after he was grabbed outside the Garden of Games, a Tirana childrens' park, Mr. Saleh was hanged in an Egyptian prison yard.

His capture was one of five scripted and overseen by American agents as part of a covert 1998 operation to deport members of the Egyptian Jihad organization to Cairo from the Balkans. At the time, Egyptian Jihad was merging with Osama bin Laden's al Qaeda network. U.S. authorities considered the Tirana cell among the most dangerous terror outfits in Europe.

The CIA has refused to acknowledge the 1998 operation. But privately, U.S. officials have described it as one of the most successful counterterrorism efforts in the annals of the intelligence agency.

Today, as the Bush administration loosens its interpretation of the rules on foreign assassinations and other restraints imposed on the CIA in the 1970s, America's clandestine role in Albania illuminates some of the tactical and moral questions that lie ahead in the global war on

terrorism. Taking this fight to the enemy will mean teaming up with foreign security services that engage in political repression and pay little heed to human rights. By authorizing special military trials for some terrorists caught abroad, President Bush has signaled that the protections of American-style justice won't apply to all.

Although executed swiftly, the CIA's operation in Albania was far from clean. At least two men targeted by the Americans eluded capture. Another was shot dead during a gunfight with Albanian security forces.

One Albanian participant in the violent arrests recalled that an apparently innocent elderly man was grabbed at Tirana's airport and then bound and blindfolded. The old man was interrogated for several days by the CIA before being dumped on a downtown street. In statements to their lawyer in Egypt, the five men who were deported there said they suffered the sort of elaborate torture that has been a hallmark of a decade-long Egyptian counterterrorist campaign.

Bill Harlow, a spokesman for the CIA, said any suggestion that "the CIA either participated in or condoned torture" in any of its operations is "wrong." He declined to comment further.

Albania is nominally Muslim but largely secular and pro-American. It has served as a laboratory for counterterrorism tactics shunned in Western Europe, for example, where governments are wary of giving the CIA too much leeway and balk at sending suspects to countries that employ the death penalty.

Fatos Klosi, head of Albania's intelligence service, acknowledged that some of his agency's actions, undertaken at the CIA's behest, were "not so justified legally." But he defended them as necessary. "They convinced us not to be soft with terrorists," said Mr. Klosi, who oversaw the 1998 operation.

The Tirana group broken up by the CIA was years in the making. Its members, who ultimately numbered more than 20, started drifting in and out of Albania in the early 1990s. They eventually coalesced into what appears to have been a classic "sleeper" cell: a self-sufficient group ensconced in its surroundings, awaiting a call from its leadership to begin terrorist activities.

In addition to Mr. Saleh, a self-described terrorist with a 1993 Cairo car bombing to his credit, cell members included an accomplished forger and a budding propagandist. Most had spent time in Afghanistan or Pakistan, learning how to handle weapons and explosives. Egyptian Jihad's leader was Ayman Zawahri, a Cairo surgeon-turned-mujahedeen warrior who became Mr. bin Laden's right-hand man after the Jihad group merged with al Qaeda in 1998.

The interrogation of the five Tirana cell members by Egyptian authorities in the summer and fall of 1998, and the military trial that followed in Egypt the next year, produced some 20,000 pages of confession transcripts and other documents. The confessions apparently were coerced, which could cast doubt on the credibility of some self-incriminating statements. But the defendants' descriptions of their activities generally are consistent with those of other sources and

provide a rare detailed account of the activities of a Muslim terrorist cell.

Islamic militants and CIA agents began arriving in Albania at about the same time -- when the country's doctrinaire Communist regime collapsed in 1992. Both groups of outsiders saw fertile ground for expansion.

Arriving early was Mohamed Zawahri, the younger brother of Ayman Zawahri. The younger Zawahri worked as an engineer for the Islamic Relief Organization, one of more than a dozen charities based in Saudi Arabia and other Islamic states that opened offices in Tirana. Mohamed Zawahri helped other Egyptian Jihad members land jobs with charities that were building mosques, orphanages and clinics there.

The CIA, meanwhile, found shelter in the new U.S. Embassy, which opened after the Communists' fall. CIA agents provided the Albanian intelligence service, known by its initials, SHIK, with equipment to record telephone calls, as well as lessons on surveillance techniques, according to current and former SHIK operatives.

The CIA, which aimed to track Muslim extremists in the region, found an eager partner in Sali Berisha, a cardiologist elected Albania's president in 1992. "Total cooperation," is how Mr. Berisha described his relationship with the American intelligence agency. "They worked in Albania as if they were in New York or Washington," he added.

Gaining permission for wiretaps was a snap, requiring little of the legal red tape common in the U.S. Mr. Berisha estimated that almost two-thirds of the hundreds of telephone conversations recorded in Albania during his five-year tenure as president were taped at the CIA's behest.

While the CIA organized, so did Egyptian Jihad. In January 1993, Mohamed Zawahri recruited Mohamed Hassan Tita, an architect and Jihad member, to work at the Islamic Relief Organization. Funded by Saudi Arabia, the group had offices in a former Communist Party academy, alongside Western charity groups.

Within hours of stepping off the plane from Egypt, Mr. Tita was told by Mr. Zawahri that he would have a special duty: collecting dues from the charity's Jihad employees at a rate of 20% of their salary. "I think that all Jihad members employed at the organization were employed through Mohamed Zawahri," Mr. Tita said in his 1998 confession.

By the mid-1990s, the Egyptian Jihad cell in Tirana had swelled to 16 people, according to the Tita confession. His collections were running about \$1,100 (1,246 euros) a month.

Meanwhile, the CIA monitored the mixture of Muslim charity and militancy in the Albanian capital. SHIK agents who worked with the Americans said the CIA scrutinized the travel, phone calls and contacts of various charity workers with suspected links to extremist groups from Egypt, Algeria and other countries.

Every few days, a CIA officer from the American Embassy collected audio tapes of phone conversations that SHIK operatives recorded on American-supplied equipment in a secret eavesdropping center next to Tirana's

central post office. Since nearly all the conversations were in Arabic, the tapes went back to the U.S. for translation, SHIK agents said.

For much of the 1990s, the CIA and SHIK contented themselves with observing the suspected terrorists. The strategy, said ex-President Berisha, was "not to cleanse [Albania of] these people, but to study them."

U.S. diplomats and spies did worry that Jihad members or other Muslim extremists might attack the American Embassy in Tirana, SHIK officials said. On one occasion in 1993, the Americans were alarmed when a suspected Islamic militant drove repeatedly around the embassy. In another incident, phone intercepts picked up an apparent order from overseas instructing a Muslim-charity worker to case the embassy. An attack never came.

In 1994, the CIA sent an agent to Tirana to oversee the training of a new SHIK unit dedicated to surveillance of suspected terrorists, according to Albanian security officials. The American was a Vietnam veteran and spoke Arabic. Operating out of a former military academy in Tirana, the agent, who has since died in an unrelated car accident, according to his former Albanian pupils, taught recruits how to follow and monitor targets. The SHIK contingent, said then-President Berisha, was "trained by the CIA, chaired by the CIA and run by the CIA." Some Albanian agents to this day save surveillance photographs they said they took under CIA tutelage.

As American intelligence activity increased in the mid-1990s, Egyptian Jihad expanded its network in Albania. In February 1996, Mr. Tita, the dues collector, offered a job to Mr. Saleh, the man later grabbed near Tirana's Garden of Games. Wanted by Egyptian authorities in connection with a botched 1993 attempt to assassinate former Egyptian Prime Minister Atef Sedki, Mr. Saleh came to Albania for the nominal purpose of teaching the Quran to school children and running a Muslim orphanage.

Mr. Tita's most important hire was Shawki Salama Attiya, a forger and instructor at al Qaeda camps originally set up in the 1980s to train anti-Soviet fighters in Afghanistan. The son of a Cairo carpenter, Mr. Attiya arrived at the camps in 1990, too late to fight the Soviets, who had left in 1989. But that didn't diminish his enthusiasm. "We used to train on attacking [mock] tourist buses," he said later in his confession. Instructors "always told us to imagine the people in these buses were Israeli tourists."

By 1994, Mr. Attiya had relocated his family to Sudan, then home to Mr. bin Laden and al Qaeda. He apprenticed himself to a forgery expert, learning how to doctor passports, a talent much in demand among Muslim militants. "I specialized in removing stamps and visas from passports and putting new ones on," he said in his 1998 confession. Most of what he said in the confession was corroborated by his wife, Jihan Hassan Ahmed, who gave a statement to Egyptian police in 1998 but wasn't tortured or charged.

After awarding himself a diploma of his own making from the prestigious al-Azar University in Cairo, Mr. Attiya arrived in Albania in August 1995, with a fake passport and a new name, Magad Mustafa, he said in

his confession. His job at the Islamic Heritage orphanage paid \$700 a month.

The main force drawing Egyptian Jihad operatives to Albania at the time was the availability of paying jobs with the Muslim charities. The subject of Jihad finances surfaced during a meeting in Sana, Yemen, in December 1995. Ayman Zawahri, the Jihad leader, discussed a successful bombing that year of the Egyptian Embassy in Pakistan. Then, he delivered discouraging news: Jihad was nearly broke. "These are bad times," he said, according to the confession of Ahmed Ibrahim al-Naggar, a Jihad member who attended the Yemen gathering.

A month after the conclave, Egyptian Jihad outfitted Mr. Naggar with a plane ticket, laptop computer and \$500. He followed Messrs. Attiya, Saleh and Tita to Tirana. A trained pharmacist from a Cairo slum, he got a job with al-Haramein, a Saudi charity operating out of a three-story villa in the center of Albania's dilapidated capital.

In April 1996, eight Jihad operatives gathered in a Tirana house for a fast-breaking feast at the end of Ramadan, the Muslim holy month. A visiting Jihad leader appointed Mr. Attiya the chief of the Tirana cell and "emphasized the need for Jihad leaders to stick together," Mr. Tita recalled in his 1998 confession.

The threat to Americans posed by al Qaeda was becoming clearer at that time. In June 1996, the Khobar Towers U.S. Marines barracks in Saudi Arabia were bombed in an attack attributed to the bin Laden group.

In Albania, the CIA struggled to maintain its carefully nurtured relationship with SHIK, as Mr. Berisha's regime wobbled. Elections in May 1996 were marred by violence and voting irregularities. Nonetheless, in October 1996, six SHIK agents traveled to Langley, Virginia, for a weeklong CIA course in surveillance offered at a Marriott Hotel near the agency's headquarters, according to Albanians familiar with the visit.

Conditions in Albania deteriorated into anarchy in early 1997, following the collapse of a large investment-pyramid scheme. Protesters stormed a government armory, emptied prisons and attacked SHIK offices.

Amid the turmoil, Mr. Attiya kept up a lively forgery business. And Mr. Naggar began training as a propagandist, cultivating contacts with the media center that Egyptian Jihad ran openly in London. In May 1997, Mr. Naggar saw his first article published: a feature on the life of Muhammed in "Call of Jihad" magazine.

President Berisha called an election in June 1997, lost and resigned. The new government quickly revived surveillance operations with the CIA, which had waned during the unrest. There was new urgency on the American side. U.S. military planners, alarmed by mounting strife in neighboring Kosovo and considering American intervention, wanted Albania purged of any extremists who could threaten U.S. forces.

In 1998, as SHIK expanded its eavesdropping with yet more American equipment, Mr. Attiya and Mr. Naggar began making frequent calls to Ayman Zawahri, the Egyptian Jihad leader, who by then had joined Mr. bin Laden in Afghanistan, Mr. Attiya said in his confession. The Tirana

cell received word of the merger of the two organizations during a phone call from Jihad's media committee in London, Mr. Naggar said in his confession. Jihad, which had primarily targeted the secular Egyptian government, would now join a broader assault on Americans, Mr. Naggar recalled.

"There is a direct benefit from the merging of the groups under bin Laden, financial strength being the most important," Mr. Naggar said. "Joining with bin Laden is the only solution to keeping the Jihad organization abroad alive."

With war in Kosovo looming and Jihad resurgent, the U.S. shifted from monitoring the Tirana cell to crushing it. In the spring of 1998, the CIA asked Albania to help round up a half-dozen extremists operating locally, according to current and former SHIK operatives. Egypt also was recruited to help with the project, Egyptian court records show.

The Albanians were skeptical that the Muslim charity workers posed a serious threat. But SHIK's head, Mr. Klosi, recalled that he was convinced after visiting CIA headquarters in Langley in the spring of 1998.

About a dozen U.S. agents arrived in Albania to plan the arrests, according to their Albanian counterparts. CIA and SHIK operatives spent three months devising the operation, often meeting in a conference room next to Mr. Klosi's office.

On June 25, 1998, the Egyptian government issued a prearranged arrest warrant for Mr. Attiya, the forger, and demanded his deportation. Most such requests to Western countries had been ignored in the past, said Hisham Saraya, Egypt's attorney general at the time. This one was not.

That day, while driving in his 1986 Audi in Tirana, Mr. Attiya found himself being trailed by an Albanian police car and another vehicle, he later recalled in his confession. He was stopped and arrested. The same day, Albanian security officers raided his home and found more than 50 plates and stamps used to produce fake visas and other bogus documents, according to court records from his 1999 trial.

Several days later, he was taken, handcuffed and blindfolded, to the abandoned air base, north of Tirana. "There, a private plane was waiting for me," he said in his confession. Once in Cairo, he was blindfolded again and driven to Egypt's state security offices on July 2, 1998. "Since then, the interrogations have not stopped," he said.

Mr. Attiya later told his lawyer, Hafez Abu-Saada, that while being questioned, he was subjected to electrical shocks to his genitals, suspended by his limbs, dragged on his face, and made to stand for hours in a cell, with filthy water up to his knees. Mr. Abu-Saada, who represented all five members of the Tirana cell, subsequently recorded their complaints in a published report.

Also deported from Tirana was Mr. Naggar. He was nabbed in July 1998 by SHIK on a road outside of town. He, too, was blindfolded and spirited home on a CIA plane. In complaints in his confession and to his defense lawyer, Mr. Abu-Saada, Mr. Naggar said his Egyptian interrogators regularly applied electrical shocks to his nipples and penis.

Mr. Naggar's brother, Mohamed, said in an interview that he and his relatives also were -- and continue to be -- harassed and tortured by Egyptian police. He said he had suffered broken ribs and fractured cheekbones. "They changed my features," Mohamed Naggar said, touching his face.

About two weeks after Messrs. Attiya and Naggar were deported to Egypt, Albanian security agents took Mr. Tita, the dues-collector, from his Tirana apartment. They covered his head and put him on a plane. "After I was arrested, [Egyptian interrogators] hung me from my wrists and applied electricity to parts of my feet and back," he said in his confession.

As the CIA operation drew to a close, an Arab newspaper in London published a letter on August 5, 1998, signed by the International Islamic Front for Jihad. The letter vowed revenge for the counterterrorism drive in Albania, promising to retaliate against Americans in a "language they will understand."

Two days later, U.S. embassies in Kenya and Tanzania were blown up, killing 224 people. U.S. investigators have attributed the embassy bombings to al Qaeda and now believe the attacks were planned far in advance. At the time, American officials were rattled enough about the possible connection to the Tirana arrests that they closed the U.S. Embassy there, moving the staff to a more-secure compound across town.

The embassy bombings didn't stop the CIA from going after Mr. Saleh in Tirana. In August, Albanian security agents grabbed him outside the children's park. During two months of detention in Egypt, he was suspended from the ceiling of his cell and given electrical shocks, he told his lawyer, Mr. Abu-Saada. Also rounded up was Essam Abdel-Tawwab, an Egyptian Jihad member who had lived for a time in Tirana before moving to Sofia, Bulgaria. He, too, later told Mr. Abu-Saada he was tortured. Egyptian prosecutors acknowledged in court documents that they observed a "recovered wound" on Mr. Tawwab's body.

The Jihad members brought back from the Balkans were tried by the Egyptian military in early 1999. The prosecution of cell members expanded into one of the country's largest-ever mass trials of alleged Islamic terrorists. In all, 107 people were tried in the so-called Returnees-from-Albania Case. Many were rounded up locally and had no direct connection to Albania. There are no appeals from such trials.

About 60 of the defendants were tried in absentia, including Ayman and Mohamed Zawahri, who were sentenced to death. Like his al Qaeda comrade, Mr. bin Laden, Ayman Zawahri is thought by U.S. officials to be on the run in Afghanistan. Mohamed Zawahri is assumed to be there, as well.

Messrs. Naggar and Saleh were hanged in February 2000 in connection with charges from earlier terror cases. Mr. Attiya was sentenced to life imprisonment. Messrs. Tita and Tawwab each received 10-year prison terms.

Egyptian presidential spokesman Nabil Osman said of such mass prosecutions: "Justice is swift there, and it provides a better

deterrant. The alternative is to have cases of terrorism in this country dangling between heaven and earth for years."

Mr. Osman brushed off torture claims by members of the Tirana cell, without commenting directly on their validity. Egypt permits alleged torture victims to seek remedies in civil court, he said. Members of the Tirana cell, however, have been held incommunicado with no way to file suit.

"Forget about human rights for a while," Mr. Osman said. "You have to safeguard the security of the majority."

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